

## NAYS—16

Blumenthal	Hirono	Stabenow
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warren
Feinstein	Murphy	Wyden
Gillibrand	Sanders	
Harris	Schatz	

## NOT VOTING—5

Booker	Heinrich	Whitehouse
Graham	Menendez	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

Lamar Alexander, Susan M. Collins, John Boozman, Chuck Grassley, Orrin G. Hatch, Steve Daines, Dean Heller, Bill Cassidy, Cory Gardner, Michael B. Enzi, Thom Tillis, John Thune, John Kennedy, John Cornyn, David Perdue, Joni Ernst, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 85, nays 12, as follows:

[Rollcall Vote No. 252 Ex.]

## YEAS—85

Alexander	Coons	Flake
Baldwin	Corker	Franken
Barrasso	Cornyn	Gardner
Bennet	Cortez Masto	Graham
Blumenthal	Cotton	Grassley
Blunt	Crapo	Hassan
Boozman	Cruz	Hatch
Burr	Daines	Heitkamp
Capito	Donnelly	Heller
Cardin	Duckworth	Hirono
Carper	Durbin	Hoeven
Casey	Enzi	Inhofe
Cassidy	Ernst	Isakson
Cochran	Feinstein	Johnson
Collins	Fischer	Kaine

Kennedy	Paul	Stabenow
King	Perdue	Strange
Klobuchar	Portman	Sullivan
Lankford	Reed	Tester
Leahy	Risch	Thune
Lee	Roberts	Tillis
Manchin	Rounds	Toomey
McCain	Rubio	Udall
McCaskill	Sasse	Van Hollen
McConnell	Schatz	Warner
Moran	Schumer	Wicker
Murkowski	Scott	Young
Murphy	Shaheen	
Nelson	Shelby	

## NAYS—12

Booker	Harris	Peters
Brown	Markey	Sanders
Cantwell	Merkley	Warren
Gillibrand	Murray	Wyden

## NOT VOTING—3

Heinrich	Menendez	Whitehouse
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The PRESIDING OFFICER. On this vote, the yeas are 85, the nays are 12.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Madam President, I rise to discuss an issue that is extremely important to me and to many of my colleagues on this side of the aisle—the issue of judicial vacancies. I came here to work and am honored to serve on behalf of the people of the State of Nevada who sent me to Washington. One of the most pressing issues I have found since being here is, all too often Members of Congress go home before their work is finished.

Many of you here know the first piece of legislation I have introduced for the past two Congresses is my No Budget, No Pay Act. The concept is simple. If Congress can't pass a budget and all of its spending bills on time, then Congress itself shouldn't get paid.

The Senate should apply the same concepts, in my opinion, to confirming judges. I commend our majority leader for bringing two more judges to the floor this week, but there is a lot more work to do. We need to work day and night to confirm those judges who are already on our calendar and have moved out of the Senate Judiciary Committee. The Senate has an incredible opportunity right now to confirm Federal judges who will uphold the Constitution. We should be here every day, for as long as we need, to ensure all judicial vacancies are filled.

Our conference must be willing to work together in order to get the business of the Senate done. Right now, there are 149 judicial vacancies. Let me repeat that. There are 149 judicial vacancies, and the Senate has only confirmed 8 judges this session—149 vacancies, 8 judges confirmed. That means, in 9 months, with well over 100 vacancies and over 60 judicial emergencies, we have only managed to confirm 8 judges.

The minority party has undercut the confirmation process of the administration's nominees and judicial appointments. When new Presidents are elected, they have always been given an opportunity to put their team in place in short order. Historically, this is not just common courtesy, it is an expectation of the American people to have a seamless transition of power, resulting in a functional Federal Government.

One of the eight judges confirmed was Neil Gorsuch, who I am thankful now serves on the Supreme Court. Justice Gorsuch is an example of the type of judge we have the chance to put in place. As with Justice Gorsuch's confirmation, we need to do all that is necessary to fill these vacancies with great judges like him.

President Trump has nominated many judges and has more to nominate. For those he has already nominated, it is our duty to carefully review these nominations and ensure that these judges are confirmed in a timely manner. We must be willing to put in as much time as needed, whether that means working weekends, canceling State work periods, or working all through the night to get these Constitution-loving judges confirmed.

I know this is important to all of us, but we need to do better. Last week, I was a proud partner with Senator PERDUE and several of my other colleagues in calling on the Senate to work 24/7 until we get our work done. We have a substantial list of important work to complete, including confirming the judicial nominees the President has sent us, passing tax reform, fixing our broken healthcare system, and funding the government. The American people elected us to complete these critical tasks. They elected us to deliver a simpler, fairer tax code and to make sure our Federal judiciary is fully occupied with judges whose sole purpose is to uphold the Constitution as it was written.

To my fellow Senators, I am calling on all of us to do what the people have sent us to do and not let a light schedule stop us from fulfilling our duties. The American people don't go to work 4 days a week, and neither should we. This isn't France. We need to work a full workweek. We must make it clear to our constituents that we are fighting for the hard-working Americans every single day. Americans do what it takes to get the job done, and we should do the same.

I yield back.

The PRESIDING OFFICER. The Senator from Oregon.

## REPUBLICAN TAX PLAN

Mr. WYDEN. Madam President, I don't often come to the floor of the Senate to give a speech like the one I am going to give now, but today I plan to start sounding the alarm, both from the standpoint of the process and the substance of what is known about the Republican tax plan as of this afternoon.